A Brief Analysis of the BLM Wilderness Re-inventory Report

Prepared For

The Utah Association of Counties

By

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Introduction

This is a brief critique of the report of the Utah BLM wilderness re-inventory released by that agency on February 4, 1999. That report claims that the BLM found an additional 2.6 million acres of the land it manages in Utah had "wilderness characteristics." This finding came as no surprise to anyone at all familiar with the Utah wilderness issue. It was predictable for the simple reason that this re-inventory effort was a political exercise rather than one designed to determine whether wilderness characteristics truly do exist on the BLM-managed land which was re-inventoried. The politics of wilderness from the Clinton Administration's perspective dictated that the results fall within a certain acreage range and, in fact, they did. This analysis examines this political context as well as some of the many problems with the analysis itself.[1]

This analysis is organized in three parts. The first deals briefly with the political nature of the re-inventory and some of the more serious biases and problems with how it was conducted. The second deals with significant problems and issues raised by the re-inventory report itself. The third looks at two specific wilderness re-inventory units to illustrate these and other problems.

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[1]The reader should keep in mind that this is a brief analysis and is designed to give only an overview of the more obvious and serious flaws in the re-inventory procedures and the BLM report. More detailed information and analysis is readily available on all the points raised here. One of the best analyses of these flaws and problems with the re-inventory procedures has been done by the Utah Association of Counties entitled "A Critical Analysis Of The Utah BLM Wilderness Re-inventory Procedures and Approach." This document is available from the Association and has also been posted on several Web sites including the Utah Wilderness site, **www.utahwilderness.com.**)

I. Problems With A Political Re-inventory

The Secretary's representations and assurances versus the reality

To understand the purely political nature of the re-inventory it is useful to look at the representations Interior Secretary Babbitt made to Congress about the way he proposed to conduct the re-inventory. These are summarized in his July 24th, 1996 letter to Utah Rep. Jim Hansen, who is the chairman of the subcommittee with oversight jurisdiction over the BLM. In that letter the Secretary said his hand picked team of "career professionals" were given the following directions:

> This team is explicitly instructed to apply the same legal criteria that were used in the original inventory and to consider each area on its own merits, solely to determine whether it has wilderness characteristics. This team will have no particular acreage target to meet; let the chips fall where they may.

He further stated that the scope of the re-inventory effort was "the lands identified in the 5.7 million acre bill that have not been identified by the BLM as wilderness study areas."

None of these commitments were kept or directions followed.

"...no particular acreage target?"

The Secretary claims that there was no particular acreage target for the re-inventory. This may be true in a Clintonesque sense that the team was not given a precise ("particular") acreage figure for the re-inventory to "find." But the Secretary clearly had set the lowest acceptable acreage figure for the team to meet. In this same July 24th letter he told Rep. Hansen:

> As you will recall, at the April 24 hearing, you asked me for the basis of my statement that ***there were at least five million acres of BLM land in Utah worthy of protecting as wilderness.*** I responded by saying that obviously the "right number" of acres is a subject for "give-and-take debate," but that ***my own experience and knowledge of this area led me to believe that five million is the right number.*** (Emphasis added)

This was neither the first nor the last time that the Secretary used the 5 million acre number and put his personal prestige behind acreage in this range. (Note especially that his acreage figure is tied not to land with "wilderness characteristics" but land "worthy of protecting as wilderness." The latter, in any credible re-inventory, is presumably only a subset of the former.) Since they

were his handpicked people, it was clear from the beginning that they were not going to embarrass the Secretary by failing to find less than enough land to support his conclusion that 5 million acres deserved designation. No career bureaucrat who was, say, an associate BLM state director with ambitions to some day be a state director could fail to understand that the team had a very real acreage target threshold which it must meet.

However, not embarrassing the Secretary was only part of the political pressure with regard to acreage facing these "career professionals" faced. For years, the environmental community had been claiming that 5.7 million acres of BLM-managed land qualified as wilderness and had been lobbying Congress to designate that amount. These environmental groups are not only important political allies of the Clinton Administration, but the Secretary and other political appointees (and, it is clear, many of the team members as well) were sympathetic to their demands and supported them. Since the Secretary had directed that the area to be re-inventoried was essentially the areas the wilderness activists were demanding outside the existing WSA's, any finding by the BLM that some of these areas did not possess wilderness characteristics, much less were not of a quality to justify designation as formal wilderness, would undercut the environmentalists' credibility. Yet, Utah's rural counties and others had long made a convincing case that the BLM-managed land beyond the roughly 2 million acres which the agency had proposed to Congress did not qualify for wilderness designation.

Even the findings of the original BLM re-inventory presented a problem for the team. Of the 3.2 million acres of Wilderness Study Areas (WSA's) established in the original inventory, more that 1.2 million acres was not recommended for wilderness designation, largely because the BLM found that these areas ***lacked*** wilderness character. With minor exceptions, the WSA's are entirely embedded within the 5.7 million acre demands of the wilderness advocates. Further complicating the team's dilemma, it was mathematically impossible to reach the Secretary's mandated threshold of "at least 5 million acres qualifying for wilderness" without taking at least half of this rejected WSA acreage and all the area outside the WSA's which was being demanded by the environmentalists. To make matters even worse, the team had been specifically instructed not to re-inventory the 3.2 million acres of the WSA's because it is virtually certain that the Secretary lacked the authority to do so. The specific section of FLPMA which authorized the original wilderness inventory, Sect. 603, had long expired. [2]

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[2]The math here is brutal. 3.2 million acres of WSA's - approximately 2 million acres recommended for wilderness = 1.2 million acres which were not recommend largely because they lacked wilderness character. 5.7 million acres demanded by wilderness advocates - 3.2 million acres of WSA's = approximately 2.5 million acres. It is only this acreage which the team was supposed to review but, as will be discussed below, did not. Even these "career professionals" could tell at a glance that there were areas in the wilderness advocates 5.7 million acre demands which clearly did not qualify for wilderness. It had to be instantly clear to them that to maintain even the tiniest semblance of credibility for their effort, they would have to reject some of these 2.5 million acres. However, taking the 2 million acre BLM wilderness recommendation and **all** of these 2.5 million acres still gave them a total of only 4.5 million

It is essential to understand these political and mathematical problems facing the re-inventory team to put into context the actions they took to resolve them. It is why, for those who understood what was going on, it was a "given" that the team would find at least 5 million acres of land had wilderness characteristics. The only real item of speculation among most close observers was if and by how much they would come in under the 5.7 million acres which the wilderness advocates had been demanding.

"...apply the same legal criteria that were used in the original inventory?"

One of the ways the team resolved its political and mathematical problems was to dramatically change the criteria used to determine if an area had "wilderness characteristics. Critics of the process charge that had the team indeed followed the directive in the Secretary's letter, it would have come up with roughly the same results as the original inventory. The fact that the team felt it necessary to make these changes certainly gives credence to that argument.

The "original inventory guidance" (as the team characterizes it) came from two primary sources, as the re-inventory report acknowledges. One was the BLM's "Wilderness Inventory Handbook" (WIH) issued in 1978 after an extensive public comment period. This document itself was heavily criticized at the time for serious departures it contained from the original intent of the Wilderness Act generally and from the Federal Lands Policy and Management Act (FLPMA) in several key areas, specifically with respect to the intent of Congress on previously-granted RS 2477 road rights-of-way.

The second part of this original inventory guidance was modifications and additions to the WIH contained in three memos from the BLM Director to BLM state offices. These were issued during 1979 when the original inventory was underway and are referred to as the "Organic Act Directives" or OAD's. These OAD memos answered specific questions which had come up in the course of conducting the inventory, gave more specific directions on procedures and, in the opinion of many critics, skewed important elements of the original inventory effort even further away from the intent of the Wilderness Act and the already badly flawed interpretations of that Act contained in the WIH.

Of course, the fundamental question which should be asked of the Secretary and the team is why, if was truly their intent to use the "same legal criteria that were used in the original inventory," they did not just do it. Instead of using these original directives, the team claims that it "Reviewed the 1978 wilderness inventory handbook and the three organic act directives and combined them into a single guidance document." ("Methodology" section, p. viii) The reality is that this guidance document they produced, entitled "Utah Wilderness Review Procedures,"

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acres, far short of the Secretary's threshold and devastatingly short of the enviros' 5.7 million acreage demands. Being prohibited from re-inventorying the 1.2 million rejected acres in the WSA's clearly was a serious problem.

was significantly different in many respects from the "original inventory guidance." Key parts of these original documents were omitted from this re-inventory document. The context of others was changed. Still other things were fabricated especially for the re-inventory and added. When viewed together, the various omissions, selective inclusions and additions formed a pattern, as the Utah Association of Counties analysis referred to in note 1, above, concluded:

> The language of the re-inventory document contains primarily the language (from the original guidance documents) which can be used to include more areas in the wilderness inventory. The language which would direct exclusion of areas tends not to have been included. The result is a re-inventory manual biased towards finding wilderness characteristics and against eliminating them, compared to the original directives and mandates in the WIH and the OAD's.

To see this pattern it is necessary to review some of the departures from the original intent of Congress in the Wilderness Act and FLPMA in the original inventory directives. Probably the most controversial example is the treatment of roads by the BLM in the original WIH. The presence or absence of roads is one of the basic criteria of wilderness, since Congress explicitly stated that wilderness must be "roadless." The WIH on page 5 directs that for the purpose of determining "roadlessness," the following definition was to be used:

> The word "roadless" refers to the absence of roads which have been improved and maintained by mechanical means to insure relatively regular and continuous use. A way maintained solely by the passage of vehicles does not constitute a road."

The BLM claims this is "the *only* statement regarding the definition of a road in law or legislative history" of FLPMA (emphasis in the original). That is simply not accurate, as was pointed out to the BLM at the time the WIH was in public review and frequently since. In attempting to apply this language, which was not part of the law, the agency ignores the clear intent of Congress in the specific language of FLPMA itself with respect to roads over what are known as Revised Statute 2477 rights-of-way. RS 2477 is a one sentence law and states in its entirety that "the right-of-way for the construction of highways across public land not reserved for public purposes is hereby granted." FLPMA repealed RS 2477 but specifically reaffirmed in several places the validity of this and all other grants and rights-of-way in place at the time of passage of FLPMA. Section 701 (a) says, for example, that "Nothing in this Act, or in any amendment to this Act, shall be construed as terminating any valid lease, permit, patent, **right-of-way** or authorization existing on the date of approval of this Act." (Emphasis added.)

Because the Constitution, Article IV Section 3, gives exclusive authority over the public lands to Congress, an agency like the BLM has no discretion over whether it will abide by a specific directive of Congress. The RS 2477 right-of-way grant was made directly by Congress to the grantee, usually a county government. This Constitutional point is in addition to the basic legal doctrine that any apparent contradiction between the clear directive in statute and legislative history (points in committee reports, issues raised in debate, etc.) must be resolved in favor of

what Congress enacted into law. Legally, the definition of "roadless" which the BLM should have adopted as far as RS 2477 rights-of-way are concerned is that an area cannot be considered roadless if it contains a valid RS 2477 rights-of-way. It is this fundamental departure from the intent of Congress with respect to RS 2477 rights-of-way and the roads on them, both in the Wilderness Act and in FLPMA, which is largely responsible for much of the controversy today over BLM wilderness designation.

The OAD's took the BLM into even more indefensible ground with respect to roads. OAD 2 (3)(b)(2) expands the definition of a "non-road" or "way" as the BLM refers to them. It states that "A way which was established solely by the passage of vehicles is not a road." Here, the BLM moves from an already unjustifiable standard for determining if a road was a road based on the type of maintenance or improvements made to it to a standard of how the road might have been constructed in the first place.

The re-inventory document takes this one step further. It states on page 3 at (A)(3) that "Vehicle routes constructed by mechanical means but which are no longer being maintained by mechanical means are not roads." Here the BLM is attempting to expand the definition beyond improvement and maintenance by mechanical means and reduce the determination of the validity of a road merely to whether it is being maintained by mechanical means. The BLM, of course, is the one who would make this determination. All of these efforts are unjustified in law or court precedent. Yet all have the same objective, to increase the ability of the BLM, and specifically the re-inventory team, to find roadless areas where they do not in fact exist.

The reason why the team has done this appears to be straightforward. The presence of RS 2477 roads over BLM-managed land is by far the largest single disqualifier of areas from further wilderness consideration. It largely is because of such roads that most of the 5.7 million acre demands of the wilderness advocates do not meet the basic roadless requirement. Only by trying to turn these legal roads into "non-roads" can the enviros, or the re-inventory team, hope to qualify anything close to 5 million acres as having wilderness characteristics.

There is another critical way the re-inventory did not follow the "same legal criteria as used in the original inventory." Even though the Wilderness Act requires that to qualify for wilderness designation a parcel of land must, among other things, possess "outstanding opportunities for solitude or a primitive and unconfined type of recreation" OAD number 3, page 2 specifically prohibits any comparison of these required qualities between areas. It states: "there must be no comparison among units. It is **not** permissible to use any type of rating system or scale...in making the assessments." (Emphasis in original)

This statement is made even in light of the fact that the WIH specifically provided field staff with a definition of the word "outstanding" ("standing out among others of its kind: conspicuous: prominent; superior to others of its kind; distinguished; excellent"). Clearly, the quality "outstanding" can only be determined by a comparison process, yet that is exactly what BLM field personnel were prohibited from doing even in the original inventory. Instead, the OAD

directed that "good judgement must be used in determining that outstanding opportunities either do or do not exist in each unit" While this begged the obvious question "outstanding compared to what?" it at least attempted to establish some standard for determining that outstanding opportunities for solitude or a primitive and unconfined type of recreation existed.

The re-inventory guidance document drops even this pretense that a standard by which to judge "outstanding" is to be employed. It states flatly on page 6, number 3, that "When review units are contiguous to Wilderness Study Areas (WSA's) they should be considered an extension of the WSA ***so that no additional evaluation of outstanding opportunities is required.***" (Emphasis added) In other words, far from Secretary Babbitt's assurance that the re-inventory would "consider each area on its own merits" as to whether it possesses wilderness characteristics, the re-inventory units automatically qualify on these critical criteria simply because they are contiguous to one of the WSA's which make up the 3.2 million acres extensively studied by the BLM!

To take this to an even more absurd level, they qualify even if the original WSA, or the portion of it to which the re-inventory unit is contiguous, was found by the BLM's original inventory to lack wilderness character. More than twenty BLM WSA's, totaling more than 650,000 acres were not recommended for wilderness in their entirety. Portions of the remaining WSA's totaling approximately another 650,000 acres also were not recommend for wilderness designation. In almost all of these cases, the reasons were that they lacked these outstanding opportunities.

Yet the re-inventory ignored these previous findings. To understand the likely reason the re-inventory team resorted to this "sleight of hand" it is important to keep in mind both the dilemmas they faced and the character of much of the 2.5 million acres outside the WSA's which environmentalists demand be designated as wilderness. Much of this 2.5 million acres is contained in areas which are simply extensions of existing BLM WSA's. In many cases, the enviros' boundaries simply are moved farther out from the WSA boundaries into flatter, less well screened land with more roads and other intrusions of man which disqualify the areas from wilderness designation. These characteristics are usually why the BLM did not include these areas in the WSA's in the first place. In many instances, based on the more intensive analysis of the wilderness potential of the WSA's, BLM pulled the boundaries of recommended wilderness in towards the center of the WSA for these same reasons. (The Fish Springs WSA/wilderness recommendation example included in this analysis illustrates such an action by the BLM.)

It was apparently clear to the team that most of these extensions of the WSA's could not stand on their own as far as passing the "outstanding" test required by the Wilderness Act. If they could not pass this test, by definition they lacked wilderness characteristics. This clearly would be a problem for the team in those frequent instances where the contiguous portion of the WSA had already been found by the agency in the first re-inventory to lack wilderness characteristics.

Consider the team's dilemma. If the BLM's first inventory had found that the land contiguous to the re-inventory unit did not have wilderness characteristics, how could the team make the case that the re-inventory land possessed these characteristics? They were specifically prohibited from re-inventorying the WSA's to "discover" such characteristics were there after all. But, rejecting large areas of the re-inventory units as not having wilderness characteristics was not an option either. After all, they had acreage targets to meet.

They resolved this problem by simply declaring these areas to have the wilderness characteristics of outstanding opportunities for solitude or a primitive and unconfined recreation without having to go through the formality of actually determining whether they truly were there. In doing so, however, they have also *de facto* re-inventoried the contiguous portion of the WSA which had been found **not** to have wilderness characteristics in the first inventory. As a result, the team once again violated the assurances made by the Secretary and probably exceeded their legal authority as well.

Similar liberty was taken in the re-inventory document with key definitions such as "naturalness" another prerequisite an area must pass before being considered as wilderness, what qualified as an "insubstantial" imprint of the hand of man on a particular area, and numerous other things which departed from the Secretary's assurance that the original legal criteria would be used in the re-inventory. When these changes and modifications were combined with the subjective element of detecting wilderness characteristics which is inevitably part of any inventory, the re-inventory team had the tools to find wilderness character on virtually any piece of BLM-managed land which was not in the middle of an oilfield, an open pit mine or similar intrusion.

"Look at the lands identified in the 5.7 million acre bill that have not been identified by the BLM as wilderness study areas?"

Even with the major changes the team slipped into the re-inventory document, the team did one more thing to ensure that it would find the maximum amount of acreage with "wilderness characteristics." They violated the scope of the re-inventory which the Secretary told Rep. Hansen in his letter would be the category of land examined. The lands the Secretary identified in his letter are the approximately 5.7 million acres in HR 1500, the bill being pushed by the wilderness advocates, and the approximately 3.2 million acres of existing WSA's, a land area of about 2.5 million acres.

As noted, the 5.7 million acre proposal virtually overlays all the BLM WSA's. Only one WSA, Winter Ridge, with an area of 42,000 acres is not included in the 5.7 million acre legislation the Secretary referred to. Other portions of WSA's which are not included in the 5.7 million acre are very small, totaling perhaps 10,000 acres, for a total of maybe 50,000 acres of adjustment.

The team actually re-inventoried slightly over 3.1 million acres to find slightly over 2.6 million acres with wilderness characteristics. This is approximately 600,000 acres, or about 25% more

than the amount the Secretary said would be re-inventoried. The team offers this explanation for this departure from his assurances to Congress:

> The team was then to undertake a comprehensive "ground-truthing" field review using proposed legislation before Congress (HR 1500 and HR 1745). Conditions on the ground would determine whether the boundary lines of the inventory unit followed those specified in the proposed legislation, ***or were adjusted based on the presence or absence of wilderness characteristics."*** ("Secretarial Direction" section, page vii, emphasis added)

The reader is urged to re-read the team's reasoning for departing from the Secretary's direction. And perhaps again. In plain English, what the team is saying is that they followed directions on inventorying the land identified in legislation for wilderness characteristics unless they identified wilderness characteristics or the lack of wilderness characteristics outside the boundaries set in the legislation. If either of these two circumstances existed (and one or the other applies to every acre of BLM managed land--it either has them or it doesn't!) then they redrew the boundaries of of the re-inventory units that they then proceeded to re-inventory for wilderness characteristics. A simpler translation appears to be: we did what we had to in order to meet the political goals of the re-inventory.

In what is no doubt sheer coincidence, this approach allowed the team to claim with straight face that they identified 2.6 million acres of BLM-managed land with wilderness characteristics on the 2.5 million acres they were supposed to be inventorying. The fact that it was not the same land and they had to look at an additional 600,000 acres to do this is conveniently ignored. It is, however, a very telling and negative commentary on the low quality of the inventory done by the wilderness advocates. The fact that even with the major biases in favor of finding wilderness characteristics which they had slipped into the re-inventory guidance document, even these "career professionals" apparently could not find wilderness characteristics on large amounts of the 2.5 million acres they were to be re-inventorying. If they had, presumably the team would not have had to resort to re-adjusting their boundaries.

It will take careful analysis to determine where these boundary adjustments were made, but Hart's Point, the second example included in this analysis provides some insight. The re-inventory unit here is 63,000 acres from the 5.7 million acre proposal. The team could only find 19,700 acres with wilderness characteristics. Even then, as is explained in the narrative accompanying the example, the team ignored at least one major RS 2477 road, which would obviously further reduce the presence of any "wilderness characteristics."

II. Problems With The Presentation Of The Results

One of the most basic problems with the presentation of the re-inventory results in the report is that it contains the misrepresentations discussed above. For example it claims that the re-inventory was done using the same legal criteria as the original. As has been discussed, none of these are accurate.

In addition, however, there are problems specific to the re-inventory report. One of the most glaring of these is found in the "Methodology" subsection of the Introduction, page viii.

In this section which compares the re-inventory with the original inventory, the team claims that in one respect it took a more conservative approach in its review of these lands than was taken the first time. Specifically, the team states that "the earlier inventory guidance allowed lands with a substantially noticeable human imprint to be identified as having wilderness characteristics where these imprints could be reduced either by natural process or by hand labor to a level judged to be substantially unnoticeable." They did not indulge in this practice in their re-inventory, they claim:

> "... in this just completed inventory, however, areas determined to have substantially noticeable human imprints were categorized as lacking wilderness characteristics, regardless of the potential for reducing that imprint in the future. This had the effect of removing areas of acreage from consideration. For example, where impacts might be rehabilitated but did not appear natural in their current condition, the area with the impacts was excluded from the boundary of the inventory unit."

The significant thing here is not so much a further description of the team's curious practice already discussed above of adjusting the boundaries of inventory units which were supposedly to be inventoried for wilderness characteristics on the basis of whether wilderness characteristics were present--interesting as that may be. Rather, the significant thing is that this is a totally false statement.

The practice the re-inventory team ascribes to the original inventory was expressly prohibited. Here is the specific language of the "earlier inventory guidance"contained in OAD Number 3, page 5:

> An inventory unit must qualify as having wilderness characteristics ***without considering rehabilitation potential.*** (Emphasis added) In other words, rehabilitation potential should not be the basis for concluding that wilderness values exist in a unit. The intent is ***not*** to create wilderness where it does not exist. (Emphasis in the original text)

The average reader of the re-inventory report would conclude that the result of the re-inventory team's effort was more conservative than the original and therefore, even more solid and reliable

than if the "earlier inventory guidance" had been employed. No doubt this was the intent of including this language.

Why the team included it cannot be known from the text, of course, but there are only two possible explanations. One is that they did not carefully read the OAD's (even though they claim to have incorporated them in their effort). If this is the case, it further undermines any pretense that re-inventory was done using the same legal criteria as the first one with all that entails for its usefulness, credibility and the deference which should be paid to it.

The only other conclusion which can be drawn is that the team knew it was false and was attempting to intentionally deceive the reader.

Several other aspects of the presentation bear mention. One is the assertion that the team did not re-inventory existing WSA's. As has already been discussed, this is not technically correct. There clearly was a *de facto* re-inventory of these WSA's where study units were contiguous to areas of the WSA which had already been found not to have wilderness characteristics.

Another largely misleading presentation is in the "Methodology"section of the Introduction, page viii. In describing the "ground truthing" it claims to have conducted the team says:

> All surface disturbances were examined. The inventory team was equipped with Global Positioning System (GPS) units, which use satellite technology to determine precise locations on the ground. The GPS equipment, in concert with current maps and aerial photographs, allowed the team to quickly and accurately document the location of all surface disturbances, roads and ways, and photo points.

There are two problems with this representation. First, based on reports from some participants, it appears to suggest a much greater level of sophistication in the inventory process than was actually the case. Not every road was driven and authenticated with the GPS technology, for example, and not every evidence of the "hand of man" was photo-documented. Much of the area apparently was simply flown by helicopter and the decisions of "wilderness characteristics" made on little more than this cursory examination and the assertions of wilderness advocates. As the re-inventory is analyzed in more detail by the counties and others, the facts on how well the team did what it claims certainly will come out.

The second problem with these assertions is that in at least one area where a county has in fact done what the team claims it did, the results of the team's effort are found to be seriously deficient. This area is the Hart's Point re-inventory unit in San Juan County, an area of approximately 63,000 acres in the wilderness advocates' 5.7 million acre demand. San Juan County has nearly completed with an exhaustive survey of all its RS 2477 roads and all human impacts in any proposed wilderness area. They have used trained teams equipped with GPS units to drive each of these roads, documenting exactly where they are on the ground on large scale

maps and using this satellite technology and digital photos to create a data base of all other evidence of human activity on the ground. Roads are authenticated against aerial photos dating from 1976 or earlier, before the repeal of RS 2477 with the passage of FLPMA, to be certain that the right-of-way grant had been validly conveyed. The result is the by far the most detailed and accurate maps and photo-documentation of the character of the land available anywhere.

In the case of Harts Point, the team claimed that it could only find 19,700 acres with wilderness characteristics--out of the 63,000 acres the environmentalists claim is there. Yet, they missed an RS 2477 road which cuts right through the middle of the relatively small area (which they call the "natural area") which they claim has wilderness character! Months ago, the county even offered to share its data and findings on Harts Point with the team to ensure that at least this part of the re-inventory would be as accurate as possible. The team, for whatever reason, never took the county up on its offer. Hart's Point is one of the two examples included in this report illustrating various aspects of the re-inventory.

There are several significant things about these Hart's Point findings. First, the team was clearly on notice that for this re-inventory unit, at least, the county had far better and more accurate data than they did. They would also know that their findings could be instantly compared to what was really on the ground. By the county offering the to share their data with the team well before the re-inventory was released, they also knew there was every likelihood that they would do so. So, it may not be just coincidence that even though the team's findings in this particular re-inventory unit are obviously defective, at a more than 68% "shrinkage" factor it appears to represent one of the largest, if not the largest, percentage reduction in the size of a re-inventory unit. Critics will certainly charge that as other counties complete similar ground truthing exercises of their own (most are starting them and state financial assistance is becoming available) the BLM's efforts will be found to be similarly deficient in most of the other re-inventory units. The result will be to dramatically undercut the validity of the results the BLM has reported.

If the accurate and comprehensive ground truthing San Juan County has done on Harts Point has serious implications for the validity of the BLM re-inventory effort, it is devastating for the wilderness advocates' proposal. They continue to maintain that all 63,000 acres qualifies as wilderness and even these BLM "career professionals" cannot find wilderness characteristics on the large majority of this acreage. This finding on Harts Point re-enforces the suspicion that the reason the team had to inventory at least 600,000 acres outside the 2.5 million acres was because so much of the wilderness advocates demands had no wilderness characteristics. As the counties over the next several years develop the same detailed and accurate data San Juan County has developed for Harts Point, it likely that remainder of the wilderness proposal of the wilderness advocates will suffer a similar fate.